

DECLARATION FOR PATENT APPLICATION
WITH POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: TREATMENT OF DRY EYE SYNDROME, Application Serial No. 09/725,608, filed November 29, 2000.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. § 1.56(a).

[] In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

THOMAS M. FREIBURGER, REG. NO. 27,063

Send Correspondence to:

Direct Telephone Calls to:

Thomas M. Freiburger
650 California Street, 25th Fl.
San Francisco, California 94108

Thomas M. Freiburger
(415) 781-0310

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may

jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Ellen M. Troyer

Inventor's Signature *Ellen M. Troyer*

Date: 12/6/2000 Country of Citizenship: U.S.

Residence: Sausalito, California

Post Office Address: 483 Sausalito Drive
Sausalito, California 94965

Full name of second inventor: Spencer P. Thornton

Inventor's Signature *Spencer P. Thornton*

Date: 12-13-2000 Country of Citizenship: U.S.

Residence: Nashville, Tennessee

Post Office Address: 5070 Villa Crest Drive
Nashville, Tennessee 37220

Full name of third inventor: K. Steven Whiting

Inventor's Signature *K. Steven Whiting*

Date: 12/12/2000 Country of Citizenship: U.S.

Residence: San Diego, California

Post Office Address: 9528 Miramar Road, #180
San Diego, California 92126

Full name of fourth inventor: Richard Kaufman

Inventor's Signature *[Signature]*

Date: _____ Country of Citizenship: U.S.

Residence: Marina Del Rey, California

Post Office Address: 2554 Lincoln Blvd., Apt. 250
Marina Del Rey, California 90292

ASSIGNMENT

WHEREAS, Ellen M. Troyer, Spencer P. Thornton and K. Steven Whiting, all individuals, residing at 483 Sausalito Drive, Sausalito, California 94965, 5070 Villa Crest Drive, Nashville, Tennessee 37220, 9528 Miramar Road, #180, San Diego, California 92126, respectively, are co-inventors of certain new and useful improvements in a TREATMENT FOR DRY EYE SYNDROME, for which application for Letters Patent has been filed November 29, 2000 application Serial No. 09/725,608; and

WHEREAS, Science Based Health, a corporation of Nevada, doing business at 300 Tamal Plaza, Suite 220, Corte Madera, California 94925, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is acknowledged, we do hereby sell, assign, and set over unto Science Based Health, its successors, legal representatives and assigns our entire right, title and interest in the said improvements and the said application and any patents granted thereon and any continuations, continuations-in-part, reissues or extensions, and all patent applications which may be filed and/or granted for the said improvements and the said application in any countries foreign to the United States, and to all extensions, renewals, and reissues thereof.

AND we hereby further covenant and agree that we will communicate to Science Based Health, its successors, legal representatives and assigns, any facts known to us respecting the said improvements and the said application, and testify in any legal proceeding, sign all lawful papers, make all rightful oaths and generally do everything possible to aid Science Based Health, its successors, legal representatives and assigns to obtain and enforce proper patent protection for the said improvements and the said application in all countries.

IN WITNESS WHEREOF, WE, Ellen M. Troyer, Spencer P. Thornton, and K. Steven Whiting, have executed and delivered this assignment on the dates set forth below.

Date: 12/6/2000

Ellen M. Troyer
Ellen M. Troyer

Date: 12-13-2000

Spencer P. Thornton
Spencer P. Thornton

Date: 12/12/2000

K. Steven Whiting
K. Steven Whiting